

## REMARKS

Reconsideration of the present application is respectfully requested. Claims 1-20, 35, 37 and 40-45 were previously canceled. Claims 21, 27 and 34 have been amended. No new claims have been added. No new matter has been added.

### Examiner Interview Summary

On December 20, 2006, Applicants had a telephone interview with the Examiner. During the interview, Applicants specifically discussed with the Examiner regarding the Examiner's interpretation of column 7, lines 7-23 of Huckins (U.S. Patent No.: 5,612,898). Applicants explained to the Examiner that column 7, lines 7-23 discloses a means for inhibiting the logging of some categories of events. Applicants further explained to the Examiner that "events" as disclosed in Huckins are different from fields of a message. However, the Examiner insisted that "event" as disclosed in column 7, lines 7-23 is equivalent to field of a message as recited in the claims of the present invention.

### Claim Rejections - §103(a)

Independent claims 21, 27 and 34 stand rejected under 35 U.S.C. § 103(a) based on Huckins (U.S. Patent No.: 5,612,898) in view of Heilmann et al. (U.S. Patent No.: 6,760,420, hereinafter "Heilmann"). Applicants respectfully traverse the rejections.

Claim 21 recites:

21. A device to log information in a network cache, the device comprising:

an interface to allow selection of a protocol, **selection for logging of some or all of a plurality of fields of the protocol that may be present in a message to be received**, and specification of a sequence in which the selected fields are to appear in a log file;

**a first data structure for storing a value indicating a position in the specified sequence for each selected field;**

**a protocol independent log module to receive information from an application module, to store the information in a second data structure, and to store a reference to the information for each selected field stored in the second data structure in a location of a third data structure that corresponds to the position in the specified sequence for the corresponding field; and**

a log file wherein the information for each selected field from the second data structure is sequentially written using the reference from the third data structure.

(Emphasis added)

Huckins and Heilmann, individually or in combination, do not teach or suggest the above emphasized limitations in combination.

Huckins provides a client logging interface with which client components may periodically transfer log data or messages to a log file to provide a debug tracing log of the execution of the client component (Huckins, column 2, lines 9-13). Huckins, however, does not teach or suggest selection for logging of some or all of a plurality of fields of a protocol that may be present in a message to be received.

The Examiner cites Huckins' column 2 lines 31-34 and alleges that Huckins teaches that the "monitoring by which the logging occurs is customizable by the user" (Office Action mailed on 10/5/2006, page 3). Huckins' column 2 lines 31-34 disclose that the system in Huckins is dynamically configurable for monitoring interface protocols. Such a vague and generic disclosure that the system is dynamically configurable for monitoring interface protocols does not specifically teach or suggest that the logging process in Huckins is customizable in the manner recited in claim 21,

namely, selection for logging of some or all of a plurality of fields of the protocol that may be present in a message to be received.

The Examiner further alleges that Huckins teaches logging for only selected, desired features and refers to column 7 lines 7-23 as support. The cited part of Huckins, however, discloses a means for inhibiting logging events in certain event categories, not selecting particular fields of a message for logging. The Examiner, however, contends that “event” as disclosed in Huckins is equivalent to field of a message, such as recited in claim 21. Applicants respectfully disagree. Events as disclosed in column 1, lines 22-24 of Huckins include, for example, character input, character output, data block input, or data block output events. An event may be implemented as a message. However, an event is completely different from a field (among multiple fields) of a protocol, which may be present in a message.

Thus, at least for the above reasons, Huckins does not teach or suggest the limitation of selection for logging of some or all of a plurality of fields of the protocol that may be present in a message to be received.

In addition, Huckins does not teach or suggest the limitation of a first data structure for storing a value indicating a position in the specified sequence for each selected field, and/or the limitation of a protocol independent log module to receive information from an application module, to store the information in a second data structure, and to store a reference to the information for each selected field stored in the second data structure in a location of a third data structure that corresponds to the position in the specified sequence for the corresponding field, such as recited in claim 21. The Examiner, however, alleges that “it is inherent that since data is being handled

and managed, that data structures are used to store, transfer and manipulate data with.” (Office Action mailed on 10/5/2006, page 3). The Examiner further gives the PDU (protocol data unit as disclosed in column 5, lines 16-40 of Huckins) as an example of a data structure.

Applicants recognize that if the prior art reference does not expressly set forth a particular claim element, that reference may still anticipate the claim if the element is “inherent” in the disclosure of the reference. That a feature is inherent in a reference may be established using extrinsic evidence. To establish inherency, however, the extrinsic evidence “must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by one of ordinary skill.” Continental Can Co. v. Monsanto Co., 948 F.2d 1264, 1268, 20 U.S.P.Q.2d 1746, 1749 (Fed. Cir. 1991). “Inherency, however, may not be established by mere probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.” Id. At 1269 (quoting In re Oelrich, 666 F.2d 578, 581, 212 U.S.P.Q. 323, 326 (C.C.P.A. 1981) (emphasis added).

That data structures are generally being used to store, transfer and manipulate data does not necessarily require storing, transferring and manipulating data by using a first, second and third data structures as the way recited in claim 21. The mere possibility or even probability of using a first, second and third data structures as the way recited in claim 21 does not render the above mentioned claim limitations inherent. Further, the PDU as disclosed in column 5, lines 16-40 of Huckins does not teach or suggest a first data structure for storing a value indicating a position in the specified sequence for each selected field and a protocol independent log module to receive

information from an application module, to store the information in a second data structure, and to store a reference to the information for each selected field stored in the second data structure in a location of a third data structure that corresponds to the position in the specified sequence for the corresponding field. Neither are the limitations obvious in view of the PDU.

Heilmann also does not teach or suggest the above emphasized limitations of claim 21. Neither does the Examiner contend so. Thus, at least for the foregoing reasons, claim 21 and all claims which depend on it are patentable over Huckins and Heilmann.

Independent claim 27 recites limitations similar to those discussed above for claim 21. Thus, for similar reasons, claim 27 and all claims which depend on it are also patentable over Huckins and Heilmann.

Independent claim 34 at least recites the limitation of selection for logging of some or all of a plurality of fields of a message to be received, which is similar to a limitation discussed above for claim 21. As discussed above, Huckins and Heilmann, individually or in combination, do not teach or suggest this limitation. Thus, at least for this reason, claim 34 and all claims which depend on it are patentable over Huckins and Heilmann.

### Conclusion


For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: January 4, 2007

  
Jordan M. Becker  
Reg. No. 39,602

Customer No. 48102  
12400 Wilshire Blvd.  
Seventh Floor  
Los Angeles, CA 90025-1026  
(408) 720-8300